



General Assembly

Amendment

February Session, 2006

LCO No. 5552

SB0064805552HDO

Offered by:

REP. LAWLOR, 99th Dist.

REP. SAYERS, 60th Dist.

To: Subst. Senate Bill No. 648

File No. 344

Cal. No. 478

"AN ACT CONCERNING FUNDING FOR FEDERALLY QUALIFIED HEALTH CENTERS TO ESTABLISH OR EXPAND AFFORDABLE PHARMACEUTICAL DRUG PROGRAMS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2006*) (a) Any person who sells
4 or offers for sale at retail any drug product or combination of drug
5 products containing ephedrine, pseudoephedrine or
6 phenylpropanolamine, or their salts, isomers or salts of isomers, shall
7 (1) store such drug products or combination of drug products in a
8 location that is inaccessible to consumers, and (2) require consumers to
9 request and purchase such drug products or combination of drug
10 products at the counter.

11 (b) No person shall purchase, receive or otherwise acquire more
12 than nine grams of any drug product or combination of drug products
13 containing ephedrine, pseudoephedrine or phenylpropanolamine, or

14 their salts, isomers or salts of isomers within any thirty-day period.

15 Sec. 2. Subsection (c) of section 21a-277 of the general statutes is
16 repealed and the following is substituted in lieu thereof (*Effective*
17 *October 1, 2006*):

18 (c) No person shall knowingly possess drug paraphernalia in a drug
19 factory situation as defined by subdivision (20) of section 21a-240 for
20 the unlawful mixing, compounding or otherwise preparing any
21 controlled substance for purposes of violation of this chapter. Any
22 person who violates the provisions of this subsection may, for the first
23 offense, be fined not more than one thousand dollars or be imprisoned
24 not more than two years, or be both fined and imprisoned, except that
25 if such drug paraphernalia is for the unlawful mixing, compounding
26 or otherwise preparing methamphetamine, such person may be fined
27 not more than five thousand dollars or be imprisoned not more than
28 five years, or be both fined and imprisoned. Any person who violates
29 the provisions of this subsection may, for a subsequent offense, be
30 fined not more than ten thousand dollars or be imprisoned not more
31 than ten years, or be both fined and imprisoned.

32 Sec. 3. Subsection (a) of section 21a-278 of the 2006 supplement to
33 the general statutes is repealed and the following is substituted in lieu
34 thereof (*Effective October 1, 2006*):

35 (a) Any person who manufactures, distributes, sells, prescribes,
36 dispenses, compounds, transports with the intent to sell or dispense,
37 possesses with the intent to sell or dispense, offers, gives or
38 administers to another person one or more preparations, compounds,
39 mixtures or substances containing an aggregate weight of one ounce or
40 more of heroin or methadone, [or] an aggregate weight of one-half
41 ounce or more of cocaine or one-half ounce or more of cocaine in a
42 free-base form or an aggregate weight of fifty grams or more of
43 methamphetamine or five hundred grams or more of a mixture or
44 substance containing a detectable amount of methamphetamine, or a
45 substance containing five milligrams or more of lysergic acid

46 diethylamide, except as authorized in this chapter, and who is not, at
47 the time of such action, a drug-dependent person, shall be imprisoned
48 for a minimum term of not less than five years nor more than twenty
49 years; and, a maximum term of life imprisonment. The execution of the
50 mandatory minimum sentence imposed by the provisions of this
51 subsection shall not be suspended except the court may suspend the
52 execution of such mandatory minimum sentence if at the time of the
53 commission of the offense (1) such person was under the age of
54 eighteen years, or (2) such person's mental capacity was significantly
55 impaired but not so impaired as to constitute a defense to
56 prosecution."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	New section
Sec. 2	<i>October 1, 2006</i>	21a-277(c)
Sec. 3	<i>October 1, 2006</i>	21a-278(a)